

REMARKS

Claims 1-14, 16-18, and 20-22 remain pending. Entry of the amendment is respectfully requested. No new matter has been added. Reconsideration is respectfully requested.

The Objection

The objection to claim 20 is unclear. Original claim 20 in line 23 recited that "the picker shaft includes an *opposite end*", which provided proper antecedent basis for "the opposite end" of line 24 and "the opposite end" of line 25. Nevertheless, claim 20 has been amended in an attempt by Applicants to respond to the unclear objection. Withdrawal of the objection is respectfully requested.

Entry of the amendment is respectfully requested. Applicants respectfully submit that the amendment complies with 37 CFR 1.116(b)(1). An amendments filed after a final rejection that complies with an objection or requirement as to form is to be entered. MPEP 714.12. Also, "In an application in which prosecution on the merits is closed . . . where an amendment is presented curing the noted formal defect . . . the amendment in such a case will be entered . . . as to the formal matter". MPEP 714.20(C).

Applicants traverse the rejections

In accordance with 37 CFR § 1.111(b), the Applicants have a duty to point out the clear "errors in the examiner's action" (MPEP § 714.02). 35 U.S.C. § 132 states that "Whenever, on examination, any claim for a patent is rejected . . . the Director shall notify the applicant thereof, stating the reasons for such rejection . . . together with such information . . . as may be useful in judging of the propriety of continuing the prosecution of his application." Furthermore, 37 C.F.R. § 1.104 (c) (2), regarding references, requires that "the particular part relied on must be

designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained” by the Office. A rejection is to be “fully and clearly stated”, as is required by MPEP 707.07(d). An Office Action is to “properly communicate the basis for a rejection so that the issues can be identified early and the applicant can be given fair opportunity to reply” in accordance with MPEP 706.02(j). To support a conclusion of obviousness, a convincing line of reasoning must be presented.

MPEP 707.07(f) requires the Office to answer all material traversed by Applicants. Where the Applicants traverse any rejection, the Examiner is to take note of the Applicants' arguments or questions and answer the substance of them. To clarify the record and the issues for appeal, Applicants respectfully request that the Office answer the following questions:

1. How are Donnis and Hiroshi analogous art? How are they analogous to the environment of an "automated banking machine currency dispenser"? How are they structurally and functionally "configured to pick currency notes from a currency cassette"? How does the relied upon paper feeding tray (13) for a printer in Donnis constitute a "currency cassette"?
2. The rejections rely upon Donnis' shaft (28) as the recited "picker shaft". Yet how does the relied upon side (15b) of Donnis' "fixed frame" (11) constitute the recited "resilient tab portion, wherein the tab portion axially biases the picker shaft in a direction substantially parallel to the [picker shaft] axis"? Conversely, it appears that Donnis' shaft is perpendicularly fixed by a screw (105), which is neither resilient nor axially biasing.
3. How does the Office propose to modify the structure of Donnis with the teaching of Hiroshi to produce the recited invention, especially without destroying the disclosed utility and operability of Donnis' arrangement?

Request for rejoinder

Applicants respectfully request, upon indication of claim allowance, rejoinder of the withdrawn process claims 21-22. Applicants reserve all rights to present additional process claims. MPEP § 821.04.

Conclusion

Applicants respectfully submit that this application is in condition for allowance.

The undersigned is willing to discuss any aspect of the Application by phone.

Respectfully submitted,



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